

Remarks

In agreement with the Response to Arguments, paragraph 19 of the final rejection, claim 1 is amended to narrow the claim by adding the structural limitations that constitute the essence of why Chained Pouches System and Method can be distinguished from the prior art. Claim 13 is withdrawn and the limitations of manipulations combined to claim 1.

For reference, the amended claim1 is:

1. (currently amended) A storage system, comprising: two or more pouches, joined sequentially pouch-lip to pouch-lip by a flexible coupling portion, which means a span of flexible material extending from a rear pouch-lip of a first pouch to the front pouch-lip of the next pouch, in a series of pouches, with hinges along the connections at the pouch-lips, as well as a hinging portion in the span of the flexible coupling portion material between the pouch lips, wherein each coupling portion flexes to permit manipulation of the joined set of pouches, said manipulation being selected from the group consisting of closing, paging, tipping, fan, accordion, parallel, push down, pull up and reversible.

Elections/Restrictions

Paragraph 1.

Claim 34 is not a different method of making a chained pouches system. The length of a chain is not defined in these descriptions. If a long enough chain is constructed, or chains are connected serially, then simply end to end, a loop is formed without change in the basic construction. It illustrates the adaptability and ramifications of the system and method.

Claim 35 is dependent on claim 1 and is simply an extension of the system and method of coupled pouches described in claim 1. The system of chained pouches described in amended claim 1 is structurally and functionally unique when compared to the prior art, whether individually or in groups.

It is exactly the difference that the system structural and consequent functional differences between amended claim 1 and the prior art that makes this truly an

adaptable system and not a simple storage device. The functionality which was previously lacking in any other inventions is what makes this a system, very adaptable, with virtually no modification, or only simple complements as in the dependent claims, to uses beyond simple storage of planar articles.

Objections to drawings

A replacement Figure 1 will be provided with darker lines as noted in section 2 after allowance.

Objections to the specification

An amended abstract was included in the 6/22/06 amendment. The substitution of the term "with" for "comprising" is made to avoid the legal phraseology objected to in the final rejection, section 3.

Claims Rejections – 35 USC 112

Objection that claims are indefinite.

Claim 13 is withdrawn as above.

Claim 18, dependent on amended claim 1 and corrected for language, claims a modification or option to the system and method of chained pouches where the contents are desirably visible.

Claim 17 is currently amended with language correction. It is dependent on claim 1 and is another modification or optional use of the system that requires minimal if any changes.

Claims 20 is amended to better indicate the dependence on claim 1. It is another similar adaptation as claimed in Claim 19 which was not found objectionable.

Claim 21 is corrected for language and defines an adaptation of the system of claim 1 on which it is dependent.

Claim 22 is also corrected for language and defines another adaptation of the system and method defined in claim 1.

Claims 25 is corrected for language in response to paragraph 6 in the final rejection. Claims 25-27 are another adaptation to the system and method of claim 1. They incorporate the rupturable wall option as known in the prior art in Butler 4,228,330, now in the public domain, but herein dependent on the amended claim 1.

The language in Claims 31 and 37 is corrected in response to paragraph 6 of the final rejection, substituting "consisting of" for "comprising". This along with the requirements of claim 1 define another adaptation of the system and method of claim 1.

Claim 22 is amended to substitute "an insert" for "the insert" in response to paragraph 6 of the final rejection.

Claim 27 is amended to change "the contents" to "contents" in response to paragraph 6 of the final rejection.

Claim 16 is amended to use the term "consisting of" instead of "comprising" as recommended in paragraph 6 of the final rejection. Similarly claims 17, 20, 21, 22, 25, 31, 35, and 37 are corrected by replacing "comprising" with "consisting of" in response to paragraph 6 of the final rejection.

Claim Rejections 35 USC 102

Paragraph 8

Morton does not have a span of flexible coupling material between pouches. In fact Morton does not have any hinged couplings. This structural limitation allows only a closed or accordion display. Morton cannot be manipulated in parallel, push down or pull up modes.

The assertion that the last pouch in Morton can be adapted to a wrap around cover is conceptual only. There is insufficient span between pouches in Morton to permit the depth of the stack of pouches to be covered by the span material while preventing binding as the last pouch wraps around the stack. This is a required modification which is not present, obvious or contemplated. This additional required structural feature to make such a wrap around cover functional shows the additional steps needed to reduce the invention to practice, beyond a concept, and supports non-obviousness of the wrap around pouch cover.

Paragraph 9

Vogt does not anticipate Navickas for the same reason. Vogt has no span of flexible coupling material between pouches. The lack of a flexible coupling portion does not allow for the necessary material to wrap around the stack. Similarly to Morton, Vogt cannot provide the functions of parallel, push down and pull up.

Claim 21, regarding sealed pouches is a dependent claim of the amended claim1. Vogt does not apply to chained pouches with a span of flexible material between pouch lips.

Claim 20, to dispense medications is also dependent on claim 1. Vogt does not anticipate chained pouches with a span of flexible material between pouch lips.

Paragraph 10

Frankeny as in Vogt connects pouch lip to pouch lip directly, leaving the single hinge flexible. Frankeny does not have a span of flexible material connecting pouch lips. Functionally Frankeny only has hinge B as discussed earlier. Therefore due to this structural difference Frankeny cannot perform paging.

parallel, push down or pull up manipulations. Reversible manipulation in Frankeny is only possible for half the disks, those in the top opening pouches.

Paragraph 11

Henkel, similarly to Frankeny lacks a span of flexible coupling material between pouch lips. This structural difference limits Henkel, which consequently cannot perform manipulations in accordion, parallel, pull up, and push down. Henkel does not anticipate chained systems with a span of flexible coupling material between pouch lips. Claim 20, to dispense medications, is a dependent claim of amended claim 1.

Claim Rejections 35 USC 103

The obviousness rejections in sections 12 through 18 of the Final Rejection are traversed by the dependent nature of the cited claims to the amended claim 1. The amended claim 1 does not read on any of the prior art and distinguishes itself above the cited references.

Paragraph 13 claims 3-7 and 28-29 unpatentable over Frankeny '082

The novel structure in the amended claim 1 and the dependent nature of claims 3-7 and 28-29 removes the basis for the objection. The process by process limitations in claims 4 and 5 do result in significant differences in structure when their dependent nature to the amended claim 1 is considered.

Paragraph 14 hanging means

The amended claim 1 no longer reads on Henkel '225. Saetre '596 does not have pouch lip to pouch lip connections. While it may have obvious to provide a hanging means to Henkel '225 this is unrelated to systems with the limitations of the amended claim 1. The dependent nature of the claims to the amended claim 1 distinguish the hanging adaptation of claim 8-9 from Henkel '225 and Frankeny '596.

Paragraph 15 Wrap around cover

Figures 2, 4, and 8 in Kinigakis '641 show the wrap around cover is not a pouch containing an insert but simply a fold over flap of material. The Final Rejection does not indicate the motivation to combine the references. The unexpected result of simplifying manufacture by slightly modifying one of the chained pouches to act as a cover versus an extraneous piece of an otherwise nonfunctional appendage is clearly advantageous and should at least have been mentioned in the cited references if obvious. Claim 11 is dependent on amended claim 1.

Paragraph 16 Labels

The objections in paragraph 16 are agreed to and claims 30-31, and 39 are withdrawn.

Paragraph 17 Rupturable pockets

Claims 25-27 are another adaptation to the system and method of claim 1. They incorporate the rupturable seal option as known in the prior art in Butler 4,226,330, now in the public domain, but herein dependent on the amended claim 1.

Paragraph 18 Tear off corner

Leary '539, now in the public domain, describes tear off corners. Combining tear off corners with system and method of the amended claim 1 results in claim 23. The combination could not have been obvious since the process by process limitations of the amended claim 1 were not recognized until now.

Response to arguments

The applicant requests that the arguments filed February 14, 2006 be reconsidered in light of the amended claim 1.

The response to references individually was the most expedient way to demonstrate the fundamental differences between the chained pouches system and method and the references cited. It poignantly illustrates that none of the cited references or the known prior art can perform the push down or pull up modes. The system and method in the amended claim 1 in fact introduces these 2 new principles of operation. They are particularly well suited to large numbers of pouches which are adapted to use assistive display mechanisms, whether manual or automated, in for example the jukebox mode of archive and access.

If the invention were in fact obvious, because of its advantages, those skilled in the art surely would have implemented it by now. The fact that those skilled in the art have not implemented the invention, despite its great advantages, indicates that it is not obvious.

The results achieved by the invention are new and unexpected, unsuggested and surprising. The interpretation of the references to bear on the amended claim 1 could be made only by hindsight. Further the prior art lacks any suggestion that the references should be modified in a manner required to meet the amended claims. Even if the references were combined they would not meet the limitations of amended claim 1.

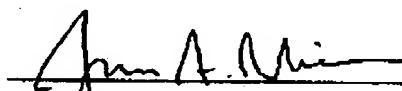
The invention is classified in a crowded art. Therefore small steps forward should be considered significant. The structure in claim 1 distinguishes the invention from the prior art singly or collectively. The system and method of Chained Pouches has broad applicability with extremely easy adaptability as claimed in the dependent claims.

Conclusion

In light of the above discussion the applicant submits the claims as amended allowable over the cited references and solicits reconsideration and allowance.

Respectfully submitted,

Date: October 12, 2006



JONAS NAVICKAS, pro se applicant
Telephone: (808) 591-1346
Facsimile: (808) 591-1546

Response to Notice to the applicant regarding a Non-Compliant Amendment dtd 9/12/06 Art Unit: 3728/Mohandes
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"Chained Pouches" Navickas/ SNT: 10873,113 AttyDkt: NVCK-CHN1 Submitted Oct. 12, 2006